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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,454	07/18/2003	Satoru Hamada	043873-5005-02	1128
9629	7590	01/13/2005		
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			EXAMINER ANGEBRANDT, MARTIN J	
			ART UNIT	PAPER NUMBER
			1756	
DATE MAILED: 01/13/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/621,454

Applicant(s)

HAMADA, SATORU

Examiner

Martin J Angebranndt

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --****Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 7/19/04 & 7/18/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 6 and 27-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 6 and 27-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>7/18/03</u> . | 6) <input type="checkbox"/> Other: _____  |

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1. The applicant should amend the specification before the first line to both identify the parent application and indicate that it has matured into U.S. Patent 6,613,481.

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 31 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 31, "e each" wshould be replaced by - - each- - .

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6,27-29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Molee et al. '047, in view of Mallik et al. '548.

Molee et al. '047 teaches a hologram with images or logos thereon and a serial number. (figure 2 and 2/23-44) The use of hot stamping composite materials is disclosed where the adhesive is heated and transfer from a carrier. (3/42-66).

Mallik et al. '548 teach the use of continuous processes to form holograms onto an endless web (111). The use of casting allows many replicas to be formed quickly with less

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photosensitive resin used due to the isolation of the holographic images from one another. These replicas may then be adhered to object surfaces. (1/42-3/5 and figures 2 and 3)

It would have been obvious to one skilled in the art to use continuous processes which includes the use of photopolymers where the holograms are formed on a carrier tape such as those disclosed by Mallik et al. '548 to form a plurality of holograms shown in figure 2 of Molee et al. '047, which include holographic serial numbers to allow the rapid and efficient formation of these holograms.

The examiner has interpreted the relating to the sub holograms as requiring that there be a holographic image corresponding to the object (number or indicia) which is contained in the sub-hologram. Ie. the image comprising the sub-hologram must be holographic of the object, indicia or serial number, and not merely selective enhancement or degradation of a larger hologram to form a diffractive textured image, such as would be achieved by selective metallizations similar to those of Stanisci '443. The meanings of adjacent means that it is separated from, and near, to at least one holographic image. This does not preclude overlap with other holographic images.

6. Claims 6 and 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adolfs et al. '352, in view of Mallik et al. '548.

Adolfs et al. '352 teaches a hologram according to figure 4 which contains a object identification number, a position marker, a two dimensional grid and a holographic lens or combiner (light is focuses a bundled beam into one light beam). (6/10-32). The use of stamped holograms or adhesively applied holograms is disclosed. (2/66-3/2).

It would have been obvious to one skilled in the art to use continuous processes which includes the use of photopolymers where the holograms are formed on a carrier tape such as

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those disclosed by Mallik et al. '548 to form a plurality of embossed or stamped holograms shown in figure 4 of Adolfs et al. '352, which include holographic object identification numbers ready for adhesion onto the desired substrate to allow the rapid and efficient formation of these holograms.

7. Claims 6,27-29 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fabbiani et al. '366, in view of Ueda et al. '598.

Fabbiani et al. '366 teaches with respect to figure 1(b), the formation of a hologram which includes an image (7), barcoding (23) and a number (24) all recorded holographically. Figures 9(a) and 9(b) teach the use of implanted LCDs in optical cards which effects the appearance of a hologram coated on top of it. (3/27-34).

Ueda et al. '598 teach with respect to figure 8, the recording of holograms in isolated areas "A" of a film (tape) (11/20-38). The process continuously uses a holographic master to form copies in a continuous manner and thereby increase productivity. (1/31-46).

It would have been obvious to one skilled in the art to use continuous processes which includes the use of photopolymers where the holograms are formed on a carrier tape such as those disclosed by Ueda et al. '598 to form a plurality of embossed or stamped holograms shown in figure 1b of Fabbiani et al. '366, which include holographic object identification numbers ready for adhesion onto the desired substrate to allow the rapid and efficient formation of these holograms.

8. Claims 6 and 27-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fabbiani et al. '366, in view of Ueda et al. '598, Ueda et al. '066 and Adolfs et al. '352.

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•Ueda et al. '066 teach with respect to figure 8a, a holographic recording tape (41), which includes two differently sensitized areas (42,43) (8/1-28). The use of these volume holographic recording media to form holographic combiners is disclosed. (2/1-30). The examples use photopolymerizable compositions.

In addition to the basis provided above, it would have been obvious to one skilled in the art to modify the combination of Fabbiani et al. '366 and Ueda et al. '598 and use the resulting process to form other holograms, such as those containing combiners taught by Ueda et al. '066 and Adolfs et al. '352 with a reasonable expectation of realizing the gains in productivity and individualization of the resultant holograms.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Martin J Angebrannndt whose telephone number is 571-272-1378. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Huff can be reached on 571-272-1385. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Martin J Angebrannndt

**MARTIN ANGEBRANNDT**  
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